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faces distends laterally from <sup>n.a.</sup>the frontal faces and the flat bottom is closed to include the distendable gussets.

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### **REMARKS**

Applicant confirms the election of the subject matter of the original claims 1-5.

The claims have been amended in response to the Examiner's comments and the citation of the prior art made for the first time in the latest Office Action. Thus, at the present, claim 9 is submitted for further examination.

In response to the Notice to File Corrected Papers (substitute drawings) dated February 20, 2001 (confirmation number 3999, a copy of which is attached), corrective drawings were filed on April 20, 2001 (covering letter and drawings attached hereto). The original drawings filed January 5, 2001 have thus been superceded and the objection made by the Examiner is in error and should be removed.

The specification has been amended to more clearly describe the invention. No new matter has been added to the specification. The description is fully supported by the original text and conforms to the showing of the invention in the original and substitute drawings. Therefore, the rejection under Section 112 is believed moot. The withdrawal of this rejection should be made.

“The corners of the bag” are no longer contained in the claims, although it is believed that the “corners” were quite clear. “The laterally extending portion from the bottom wall” is clearly illustrated in Figs. 5 and 6 as the triangular portion 44 which allows the side faces to balloon outwardly. See description on pages 6-8 of the specification.

Insofar as the rejection under Section 102 based on the Pannenbecker reference may be applied to the new claims and the same is traversed. Contrary to the Examiner’s statement, the Pannenbecker reference does not disclose even a single gusset let along a pair of gussets at each side face. In Figs. 3, 4 and 7, the vertical dash lines merely define the inner cuts from which the handles 4 and 5 are formed. Note in Fig. 3, the vertical line extends beyond cuts 2 and 3 and laterally into the bag. The portions labeled 12 and 13 (Fig. 3) and 18 and 19 (Fig. 4) merely define the extent of the bag side walls or end faces when opened. Also Pannenbecker does not show a flat bottom but merely a bottom seal 11. The fact that a plastic bag is flexible does not imply making a flat bottom of Pannenbecker unless the inherent strength of plastic is weakened, torn or destroyed and Pannenbecker motivates doing so.

The rejection under Section 103 is likewise not borne by the facts and disclosure of the prior art. The discussion of Pannenbecker is repeated here as if more fully set forth. Benoit shows a bag (see Figs. 5-8) having only one gusset structure on said face. This is clearly shown in Fig. 7 by the bottom terminal edges 54 and 56. Each gusset is sealed within the confines of the bottom seal 58; thus making a rectangular bottom wall. Benoit neither suggests nor shows

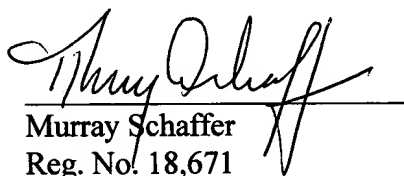
structure by which the end walls blossom outwardly to form a bottom wall which has lateral extensions. It does not have multi-gussets which enable the wide extension of the side walls, nor the triangular portions in the bottom allowing the formation of a flat bottom bag. Clayton, German publication 2436228, does not provide a band of transversely oriented ribs which form a stabilized rectangular bottom wall. The ribs of Clayton are vertical following in parallel the longitudinal axis of the sleeve.

No combination of Pannenbecker , Benoit and Clayton make it obvious to provide a bag having a rectangular flat bottom bag with latterly extending portions, which when the bag is opened the side walls distend and blossom outwardly to enlarge the bag.

Reexamination and reconsideration of this application is respectfully requested.

Dated: June 4, 2003

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Murray Schaffer", is written over a horizontal line.

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